

Appl. No. 10/754,026
Amdt. Dated November 27, 2007
Reply to Office Action of August 28, 2007

Remarks:

1. Based on the Examiner's Response to Arguments in the Office Action dated August 28, 2007, Applicants have amended independent claims 1, 9, and 17 so there is no ambiguity concerning the meaning of first and second surfaces being two distinct surfaces and not the same surface. Applicants submit that this amendment is in response to the Examiner's assertion that the claims do not specify first and second surfaces that are not the same surface, and is made to more clearly specify a claim interpretation already argued by Applicants in their last response. This amendment does not necessitate any further searching, and Applicants respectfully request that it be entered without prejudice.
2. Claims 1-24 are rejected under 35 U.S.C. 102(e) as being anticipated by Haji-Sheikh et al. (US Patent 6,784,659), hereinafter referred to as Haji.
 - a. In the Examiner's Response to Arguments of the latest Detailed Action the Examiner indicates that Applicants' claim language did not include a limitation that specified first and second surfaces that are not the same surface. Applicants have now included that language.
 - b. Regarding Claim 1, Haji discloses a magnet (disk or ring shaped), with alternating North and South poles. As can be seen in Figure 4 of Haji, the sensors are placed in the flux lines that emanate from and return to the same surface. In contradistinction, the instant invention specifically claims that the sensors are placed in the flux lines that originate from one surface of the ring magnet and

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return to a second distinct surface (i.e. not the same surface). Return flux lines are clearly defined in the instant specification and claims as those that emanate from a magnetic pole on a first surface and return to an opposite magnetic pole on a second distinct surface. For at least these reasons, Applicants contend that the claims of the instant application are not anticipated by Haji et al.

- c. Regarding claims 2-8, as these claims depend directly or indirectly from claim 1 and contain the limitations thereof, for at least the reasons cited above in 2(b), Applicants submit that this rejection should be withdrawn.
- d. Regarding claim 9, the same arguments concerning the placement of the sensor that are made in point 2(b) above apply. Therefore, Applicants submit that this rejection should be withdrawn.
- e. Regarding claims 10-16, as these claims depend directly or indirectly from claim 9, for at least the reasons cited above in 2(d), Applicants submit that this rejection should be withdrawn.
- f. Regarding claim 17, the same arguments concerning the placement of the sensor that are made in point 2(b) above apply. Therefore, Applicants submit that this rejection should be withdrawn.
- g. Regarding claims 18-24, as these claims depend directly or indirectly from claim 17, for at least the reasons cited above in 2(f), Applicants submit that this rejection should be withdrawn.

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For the above reasons, Applicants respectfully submit that the application is in condition for allowance and request early favorable action.

Although no fees are believed due, the Commissioner is authorized to charge Deposit Account No. 50-0831 for any fees or credit the account for any overpayment.

Respectfully submitted,

By



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